

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF PUBLIC HEARING ON
RULE I pertaining to animal kill site) PROPOSED ADOPTION
verification)

TO: All Concerned Persons

1. On July 31, 2019, at 6:00 p.m., the Fish and Wildlife Commission (commission) will hold a public hearing at the Fish, Wildlife and Parks Headquarters Building, 1420 East 6th Street, Helena Montana, to consider the proposed adoption of the above-stated rule.

2. The commission will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the commission no later than 5:00 p.m. on July 19, 2019, to advise us of the nature of the accommodation that you need. Please contact Kaedy Gangstad, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-4594; or e-mail kgangstad@mt.gov.

3. The rule as proposed to be adopted provides as follows:

NEW RULE I KILL SITE VERIFICATION (1) At the request of a department game warden, it is required to return to the kill site of any game animal, game bird, wolf, or furbearer that has been hunted or trapped.

AUTH: 87-1-301, MCA
IMP: 87-1-502, 87-1-506, MCA

REASON: As a condition of hunting and trapping in Montana, the commission has previously adopted kill site verification requirements in their annual hunting regulations to allow department enforcement the ability to visit the site to verify that an animal was legally harvested. The Hunting and Trapping Regulation Review Committee identified kill site verification as an item in the regulations that needed further clarification; therefore the commission is proposing to add clarifying language from what has previously been adopted in the hunting regulations to make it clear that this rule applies to animals that are hunted and/or trapped. Kill site verification is not something that is likely to change on a frequent basis and therefore does not need to be reconsidered and re-adopted every year in the hunting regulations, but rather, would be more appropriately adopted in administrative rule. The proposed language also clarifies when and how this rule applies to hunters and trappers.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Ron Howell, Department of Fish, Wildlife and Parks, 1 Airport Road,

Glasgow, Montana, 59230; or e-mail rhowell@mt.gov, and must be received no later than August 2, 2019.

5. Kaedy Gangstad or another person appointed by the department has been designated to preside over and conduct the hearing.

6. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be made by completing the request form at any rules hearing held by the department.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. With regard to the requirements of 2-4-111, MCA, the commission has determined that the adoption of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Aimee Hawkaluk
Aimee Hawkaluk
Rule Reviewer

/s/ Shane Colton
Shane Colton
Chair
Fish and Wildlife Commission

Certified to the Secretary of State June 25, 2019.